

BOARD OF LICENSE COMMISSIONERS

City Hall, 718 Main Street

Fitchburg MA 01420

(978) 345-9557

William A. Judge, Chairman

Robert A. Bourque

John E. Murray, Jr.

MINUTES OF MEETING

The regular meeting of the Board of License Commissioners was held on June 29, 2009 in the Veterans Memorial Room, City Hall, Fitchburg, and called to order by Chairman William Judge at 6:00 PM. Commissioners Robert Bourque and John Murray were present.

I. REVIEW AND ACCEPTANCE OF MINUTES FROM THE PREVIOUS MEETING.

The minutes from the meeting held on June 15, 2009 were reviewed, approved and signed.

II. CONTINUED APPLICATIONS

CBG, Inc. d/b/a Beemers Pub, 114-116 River St., for Entertainment Permit: Sunday through Saturday, Bands from 1 – 7 pieces, DJ, Juke Box, Television and Radio *(Continued from June 15, 2009)*

Mr. Peter Cote, Manager and Mr. Anthony Zekos were present. Approved 3/0

III. NEW APPLICATIONS

CBG, Inc. d/b/a Beemers Pub, 114-116 River St., for Automatic Amusement Devices: Three (3) Videos, Two (2) Darts, One (1) Juke Box, Two (2) Pool Tables. (A-Z Vending)

Mr. Peter Cote, Manager and Mr. Anthony Zekos were present. Approved 3/0

CBG, Inc. d/b/a Beemers Pub, 114-116 River St., for 2AM Late Closing 7 days per week.

Mr. Peter Cote, Manager and Mr. Anthony Zekos were present. Approved 3/0

Center Ice Bar & Grille, 68 Airport Rd, for Entertainment Permit: Friday and Saturday, Acoustic guitar and singer.

Ms. Laurie Leeds, proposed Manager, was present. Approved 3/0

Amvets Building Corp., 14 Wallace Ave. for 1AM Late Closing Sunday through Saturday.

Mr. Donald Baldinelli, Manager, was present. Approved 3/0

Amvets Building Corp., 14 Wallace Ave. for Entertainment Permit.

Mr. Donald Baldinelli, Manager was present. Application was amended to describe type of entertainment as “Bands – All Types” and for the number of nights to “7”.

Application as amended approved 3/0.

Fourteen Mill Street Corporation d/b/a The Cellar, 14 Mill St., for Transfer of License to The Wine Cellar LLC, 14 Mill St., Richard J. Boscardin, Manager.

(Refer to Public Hearing July 20, 2009)

Mr. Richard Boscardin and Mr. Fred Blake were present. Application amended to include request for Change of License Type to General on Premise. Application as amended accepted and sent to a public hearing on July 20, 2009 3/0.

Fitchburg Main Street Mall, LLC, 424-438 Main Street for Transfer of License, Pledge of License and Change

of Location to Guibe Flores, d/b/a Pure, Guibe Flores, Manager, 14-18 Putnam Street.
(Refer to Public Hearing July 20, 2009)

Ms. Guibe Flores and Mr. Ted Lappas were present. Application accepted and sent to a public hearing on July 20, 2009 3/0.

IV. SUMMONS HEARING

John Kelly, Manager, Fat Jack's Cigar Bar, 13 Cushing Street to discuss Fitchburg Police Report #09-12013.

Mr. John Kelly was present. Details of the incident reported in FPD report 09-12013 were discussed. The Board determined that there was no proof of a violation based on the police report and no action was taken by vote of 3/0.

V. OTHER

Proposed Addition to Board of License Commission Liquor License Regulations as follows:

3.12 Authority for Release of Information

The following document shall be included in the application package for all liquor license transactions:

AUTHORITY FOR RELEASE OF INFORMATION

I, _____ do hereby authorize a review of and full disclosure of all records including driving records, or any part thereof, concerning myself, by and to the Board of License Commissioners for the City of Fitchburg, whether said records are public, private or confidential in nature,

The intent of this authorization is to provide full and free access for the specific purpose of providing pertinent data to the Board to determine my suitability to be granted a License or Permit. This information may include but not be limited to a C.O.R.I., Criminal or Civil claims or suits and credit reports.

I agree to indemnify and hold harmless the Board, its agents and employees from any action, claim, suit, demand or damages in relation to such matters. I further understand that the sources of confidential information cannot be revealed to me.

A photocopy, fax, or e-mail of this form will be valid as an original even though they do not contain an original writing of my signature.

MUST BE SIGNED IN THE PRESENCE OF A NOTARY

Signature _____

Subscribed and sworn before me this _____ day of _____ year _____

My commission expires _____ year _____

Notary: _____

By vote of 3/0 the new regulation was approved.

Proposed Addition to Board of License Commission Taxi Regulations as follows:

At the end of the following regulations the following sentence shall be inserted (proposed addition is bold, italicized and underlined)

3. TAXI OR LIVERY SERVICE LICENSE

A. APPLICATION PROCESS

Each applicant for a taxi or livery service license shall make application to the License Commission upon a standard form to be developed by the License Commission. Such application form shall, at a minimum, contain: the applicant's identifying information; whether the application is for a taxi service or a livery service; the proposed location(s) to be used in the operation of the service, including place of garaging; the number and type of vehicles the applicant intends to utilize in the service; how fares will be calculated; hours and days of operation; a written description of the services to be provided under the license. Each applicant must execute a statement, in writing and under the pains and penalties of perjury, that the applicant owes no back taxes to the Commonwealth of Massachusetts or the City of Fitchburg. **Each applicant will be requested to sign an Authority for Release of Information form granting the Board permission to request full disclosure of all records including driving records, or any part thereof, concerning him/herself, from any entity whether said records are public, private or confidential in nature.**

7. PERMIT TO OPERATE A TAXI OR LIVERY VEHICLE (DRIVERS)

A. APPLICATION PROCESS.

Each application for a permit to operate a taxi or livery vehicle shall be submitted upon a standard form to be developed by the Permit Authority and must be accompanied by an Application/Permit non-refundable fee of \$20.00; two (2) passport size photographs of the applicant. Each application must contain a signed statement, by the holder of a license to operate a taxi or livery service, of intent to hire the applicant.

B. BACKGROUND CHECK.

Upon receipt of an application, a background check, CORI and SORI, shall be conducted of the applicant to determine if the applicant is subject to any of the conditions requiring a denial of the permit. **Each applicant will be requested to sign an Authority for Release of Information form granting the Board permission to request full disclosure of all records including driving records, or any part thereof, concerning him/herself, from any entity whether said records are public, private or confidential in nature.**

By vote of 3/0 the new regulation was approved.

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* Taxi Driver Applications

Approved for two years: Randy Pelletier and Angel Soto 3/0

* Any other matter that may come before the License Commission as time permits

The following Late Filed Applications were received:

**Fitchburg Senior Center for Change of Date from June 13, 2009 for previously approved
Special One Day All Alcoholic Beverages License to July 4, 2009 for a 4th of July
Cookout from 12Noon to 3PM at 14 Wallace Ave.
Approved 3/0**

**Center Ice Bar and Grille, LLC, 68 Airport Rd. for Change of Manager to Laurie Leeds.
Application approved 3/0.**

The meeting adjourned at 7:45 PM.

Respectfully submitted,

Anna M. Farrell, Clerk

Approved:

William A. Judge

Robert A. Bourque

John E. Murray, Jr.